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GALLATIN COUNTY LEGISLATIVE LIAISON

Tesitmony on HB 369

January 30, 2007

Mr. Chairman, Distinguished Representatives

On behalf of Gallatin County I want to thank you for the opportunity to testify on this important piece of legislation. I also need to not that the official position on this piece of legislation is to support, however that vote was by a two to one majority. Commissioner Steve White voted in opposition to this particular piece of legislation.

Gallatin County brought fourth the provisions of HB 369 after encountering rising cost in construction while trying to complete updates to capital improvement projects. Currently the law allows a county, the size of Gallatin, to borrow funds of and amount up to \$1,000,000 without going to a vote of the people. These loans are not authorizing any new funding or raising taxes in anyway. The amount borrowed by a county must be paid back out of existing General Fund revenue.

The authority for a county to borrow funds was last adjusted in 1997. Prior to that counties could borrow up to \$500,000 without submitting it to a vote of the people. In 1997 the law was changed to allow counties to borrow funds without submitting it to the voters based on a coded formula.

- (a) up to \$500,000 if the county's taxable value is less than \$50 million;
- (b) up to \$750,000 if the county's taxable value is between \$50 million and \$100 million; and
- (c) up to \$1,000,000 if the county's taxable valuation is greater than \$100 million.

HB 369 would double the amount counties can borrow without submitting it to the voters. It would not however allow counties to raise any new taxes without being approved by the voters.

The reason we are asking for the \$1,000,000 cap to be increased is that a million dollars just doesn't go as far as it used to. Since the last time this amount was increased in 1997 costs have risen exponentially. Based on the U.S. Bureau of Labor Statistics CPI Calculator what would cost \$1 million to build in 1997 would cost approximately \$1.3 million today.

The county has included a list of the projects that Gallatin County has funded with these types of loans. Of the twelve funded and proposed projects the total amount Gallatin County will borrow through this process is roughly \$9.5 million. Of those projects the overall projected cost of the projects is approximately \$32.3 million. This shows that the county is borrowing roughly 29% of the total cost of the projects. The remaining funds come in the form of capital reserves, grants, private fundraising, bonds and other funding

sources. In summary the county does not use the ability to borrow money under the provisions addressed in HB 369, rather we use the loan authority to supplement the overall funding needs.

PROJECT	LOAN AMT	TOTAL PROJECT COST
Courthouse Remodel	\$ 72,381.00	\$ 3,564,000.00
Guenther	\$ 819,686.00	\$ 1,700,000.00
Landfill Cell Expansion	\$ 595,034.00	\$ 1,460,000.00
Re-entry – Approved	\$ 800,000.00	\$ 880,000.00
Library Loan (5 libraries benefited)	\$ 958,431.00	\$ 14,000,000.00
Fair Loan – Approved	\$ 500,000.00	\$ 860,000.00
Courthouse Annex	\$ 999,000.00	1,770,000.00
FY 07 Approved - Court / old L & J Remodel	\$ 999,000.00	\$ 1,542,000.00
FY 07 Proposed – Road/Weed	\$ 999,000.00	\$ 2,276,000.00
FY 07 Proposed - Dispatch Building	\$ 999,000.00	\$ 1,220,000.00
FY 08 Proposed - Mental Health - Building	\$ 999,000.00	\$ 2,000,000.00
FY 08 Proposed - Remodel Annex	\$ 800,000.00	\$ 1,120,000.00
TOTAL	\$9,540,532.00	\$ 32,392,000.00
LOAN % OF TOTAL PROJECT COST		29%

The loans that we are authorized to use under this section of must be for a period of less than 10 years. The will have an approximate payment of \$100,000 principal and \$30,000 interest amounting to approximately \$130,000 annually.

At the same time construction cost are rising significantly every year. According to the US DOL (CPI-U) from 1997 to 2006 the inflationary costs rose approximately 20%. 30%. Just in the last year a national trend and more significantly here in Montana we are seeing up to 40% increases in project costs related to transportation projects according to MDOT. Last year we figured it cost us an average of \$1 million per lane mile to pave a road. Our current forecasts show closer to \$1.5 million. With rising construction costs we anticipate that even if the cap were increased to \$2 million we would likely remain in the 29% range of percentage of total cost of a capital improvement.

It is important to note that Gallatin County is not the only county that utilizes these types of loans for improvements to infrastructure. Counties from large to small, high growth to negative growth all face aging infrastructure. We believe that increasing the threshold on the ability to borrow limited amounts will serve counties across the state, without increasing taxes.

In looking at HB 369 we have had many discussions with user groups and private citizens about the merits and needs of this program. In order to ensure that we considered the negatives that may be associated with counties borrowing funds we felt it necessary to address some of the primary concerns.

Some may ask why a county would need to borrow funds in the first place. The answer is simple, sometimes a county is faced with needing to build or repair a capital improvement and the timing, cost and uncertainty of going before the voters for \$1,000,000 or \$2,000,000 increments isn't efficient.

Some others would promote asking for a vote every time a county borrows money. If a county like Gallatin were required to request a vote every time they need to borrow money for an improvement we would have to either put it on a ballot during a countywide election cycle, which tends to be every two years, or have to hold a special election. The cost of holding a special election in our county runs roughly \$100,000. Often times the longer a county puts off making improvements to their infrastructure the higher the cost of completing the project.

We have heard concerns that people just don't trust government to spend money wisely. That is an understandable argument. Some would believe that the money Gallatin County borrowed for improvements to 5 libraries was not wise use of public funds. However, the people who use libraries may see things differently.

Prioritization of funds is clearly a criticism that we hear about in Gallatin County. We have heard from several people who believe the county shouldn't have the ability to borrow funds because they prioritized two Open Space Bonds before other important items. Considering that both bonds passed by an overwhelming margin, 57% the first time and 63% the second time, we believe that the majority of the public supports the way Gallatin County is prioritizing how it spends money. I would also note, a bond to build a new Jail has failed twice, it took twice to pass a school bond, three times for a 911 levy, and two funding campaigns for rural fire departments were just defeated by the voters.

Raising taxes requires a vote of the people which means a campaign and thus a political process. Generally there are people, organizations and user groups who will pull together to fund a campaign for a cause like libraries, parks or open space. Finding user groups or special interest groups to support sewer treatment plants or jails is more problematic.

We would also like to note that the county commission is not the only entity that is responsible for determining which funding proposals would find the ballot box. Voters can determine by petition to raise taxes without any consent by the county commission. In the case of the Open Space Bond, the initiatives would have been on the ballot regardless of the wishes of the county commission.

We believe this reflects a pattern that even if the county were to put all loans to a vote of the people like we do tax increases it would actually lessen our ability to make the needed repairs to capital improvements to our existing infrastructure.

If the flexibility to borrow funds for these types of projects does not follow increasing costs of construction it is likely that infrastructure will continue to deteriorate until we have reached an emergency level.

Another concern we have heard is that the county just needs to "tighten their belts". We whole-heartedly agree that tightening our belts is needed and this bill requires it. With no ability to increase taxes without a vote of the people any payments have to be made from the general fund. If our revenue isn't getting any bigger then our expenses have to be cut in order to borrow money. In our opinion using this provision of law actually promotes fiscal responsibility.

In closing we encourage you to vote for HB 369 and help county government continue to keep up with the aging infrastructure problems they face.

Sincerely,

Michael Harris

Liaison

DEBT LIMITATION CALCULATIONS

Maximum Allowed Gallatin County, Montana DOR Market Value August, 2006

	4			
Assessed Valuation: FY 07 Certified Market Value	5,526,323,702 D.O.R. Ceritif	ication	Est. Yrly Pymt	
Factor allowed for indebtedness	1.40%		Princ & Int.	TOTAL
Total Indebtness Allowed:		77,368,532	*	Project Cost
Less:				
Rest Home Bond	\$ 360,000		\$ 135,943	\$ 2,000,000
Open Land Bond	3,120,000		279,043	
Open Land Bond 2003	3,620,000		440,885	·
Open Land Bond 2006	5,000,000	- i	345,403	
Open Land Bond 2004 Voted Bond	7,200,000		. - ,	20,000,000
Capital Leases (5 graders, 1 loader)	1,057,141		190,000	1,890,000
Courthouse Remodel	72,381		74,720	3,564,000
Guenther	819,686		130,873	1,700,000
Landfill Cell Expansion	595,034		167,314	1,460,000
Re-entry - Approved	800,000	:	101,427	880,00
Library Loan (5 libraries benefited)	958,431	,	121,885	14,000,00
Fair Loan - Approved	500,000		68,720	860,000
Warrants (estimate)	365,000			
Courthouse Annex	999,000 \$	25,466,673	136,113	1,770,000
Maximum Indebtness Available (7-1-2006)	<u>\$</u>	51,901,859		
FY 07 Approved - Court / old L & J Remodel	\$ 999,000		136,113	1,542,000
FY 07 Proposed - Road/Weed	999,000		136,113	2,276,000
FY 07 Proposed - Dispatch Building	999,000		136,113	1,220,000
FY 08 Proposed - Mental Health - Building	999,000	3	136,113	2,000,000
FY 08 Proposed - Remodel Annex	800,000		108,999	1,120,00
FY 08 Possible - Law & Justice Remodel	999,000		136,113	N/A
			-	
	\$	5,795,000].
Amount Available	\$	46,106,859	4 004 074	
	Projects with Special Mill Levies		1,201,274	22,000,000
	Projects without Special Mill Levies		1,780,616	34,282,000

Bonds	14,900,000
Loans	2,695,812
Leases	1,057,141
Warrants	365,000

Tax Year 2006 (for Fiscal Year 2007 Use) Market Value and Debt Limit of Counties

County	Market Value	Debt Limitation
Beaverhead	\$490,596,382	\$6,868,349
Big Horn	\$695,463,089	\$9,736,483
Blaine	\$316,186,711	\$4,426,614
Broadwater	\$260,091,192	\$3,641,277
Carbon	\$698,596,330	\$9,780,349
Carter	\$136,381,395	\$1,909,340
Cascade	\$3,315,675,178	\$46,419,452
	\$5,515,675,176 \$529,534,540	\$7,413,484
Chouteau	\$415,455,339	\$5,816,375
Custer		\$2,022,083
Daniels	\$144,434,519 \$227,247,403	\$5,421,459
Dawson	\$387,247,103	\$4,144,719
Deer Lodge	\$296,051,379	\$4,179,773
Fallon	\$298,555,203	
Fergus	\$632,220,936	\$8,851,093
Flathead	\$6,056,947,702	\$84,797,268
Gallatin	\$5,518,104,168	\$77,253,458
Garfield	\$150,642,323	\$2,108,993
Glacier	\$396,686,403	\$5,553,610
Golden Valley	\$98,816,333	\$1,383,429
Granite	\$296,155,592	\$4,146,178
Hill	\$755,441,728	\$10,576,184
Jefferson	\$589,657,710	\$8,255,208
Judith Basin	\$226,755,824	\$3,174,582
Lake	\$1,764,930,753	\$24,709,031
Lewis And Clark	\$2,763,699,935	\$38,691,799
Liberty	\$203,576,627	\$2,850,073
Lincoln	\$1,128,712,323	\$15,801,973
Madison	\$1,293,349,978	\$18,106,900
McCone	\$183,746,492	\$2,572,451
Meagher	\$210,585,442	\$2,948,196
Mineral	\$250,513,412	\$3,507,188
Missoula	\$5,779,793,837	\$80,917,114
Musselshell	\$217,751,166	\$3,048,516
Park	\$1,004,675,667	\$14,065,459
Petroleum	\$49,611,498	\$694,561
Phillips	\$312,029,229	\$4,368,409
Pondera	\$340,474,060	\$4,766,637
Powder River	\$126,598,050	\$1,772,373
Powell	\$382,586,994	\$5,356,218
Prairie	\$92,555,806	\$1,295,781
Ravalli	\$2,008,322,565	\$28,116,516
Richland	\$530,984,678	\$7,433,785
Roosevelt	\$428,216,465	\$5,995,031
Rosebud	\$1,803,496,920	\$25,248,957
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Silver Bow Stillwater	\$1,796,326,331 \$842,641,915	\$25,148,569 \$11,796,987
Sweet Grass	\$487,805,677	\$6,829,279
Teton	\$403,096,844	\$5,643,356
Toole	\$380,255,160	\$5,323,572
Treasure	\$83,955,336	\$1,175,375
Valley	\$484,912,603	\$6,788,776
Wheatland	\$331,620,801	\$4,642,691
Wibaux	\$81,940,503	\$1,147,167
Yellowstone	\$6,941,428,966	\$97,180,006
Total	\$56,532,761,968	\$791,458,668

COUNTY TAXABLE VALUE FY- 06 AND FY- 07 (for Mill Levy)

BY COUNTY - FISCAL YEAR 2007

CO#	County	Population	Taxable	Taxable	Difference	Percent
	·		Value FY-06	Value FY-07	Plus/Minus	Change
18	Beaverhead	8,773	\$16,192,137	\$16,315,301	\$123,164	0.75%
22	Big Horn	13,149	\$19,266,174	\$20,284,043	\$1,017,869	5.02%
24	Blaine	6,629	\$11,889,552	\$12,145,187	\$255,635	2.10%
43	Broadwater	4,517	\$9,865,069	\$10,246,303	\$381,234	3.72%
10	Carbon	9,902	\$25,786,269	\$28,709,760	\$2,923,491	10.18%
42	Carter	1,320	\$5,455,681	\$5,869 ,968	\$414,287	7.06%
2	Cascade	79,569	\$112,985,582	\$112,851,609	(\$133,973)	-0.12%
19	Chouteau	5,463	\$19,737,747	\$19,967,109	\$229,362	1.15%
14	Custer	11,267	\$14,078,014	\$14,287,435	\$209,421	1.47%
37 16	Daniels	1,836	\$4,754,453	\$4,691,111	(\$63,342)	-1.35%
30	Dawson Deer Lodge	8,688	\$14,645,543	\$14,841,406	\$195,863	1.32%
39	Deer Lodge Fallon	8,948 2,717	\$10,012,094	\$10,345,020	\$332,926	3.22%
8	Fergus	11,551	\$12,765,853	\$17,658,969	\$4,893,116	27.71%
7	Flathead	83,172	\$22,022,888 \$171,523,347	\$22,890,088 \$179,564,403	\$867,200	3.79%
6	Gallatin	78,210	\$168,323,827	\$179,564,103 \$181,081,364	\$8,040,756 \$12,757,537	4.48%
50	Garfield	1,199	\$4,822,802	\$4,738,325	(\$84,477)	7.05% -1.78%
38	Glacier	13,552	\$17,823,320	\$19,404,333	\$1,581,013	-1.78% 8.15%
53	Golden Valley	1,159	\$5,023,328	\$4,840,523	(\$182,805)	-3.78%
46	Granite	2,965	\$9,084,955	\$9,324,913	\$239,958	2.57%
12	Hill	16,304	\$27,276,189	\$27,988,794	\$712,605	2.55%
51	Jefferson	11,170	\$19,135,774	\$20,940,973	\$1,805,199	8.62%
36	Judith Basin	2,198	\$10,155,867	\$10,015,215	(\$140,652)	-1.40%
15	Lake	28,297	\$53,950,478	\$53,772,968	(\$177,510)	-0.33%
5	Lewis & Clark	58,449	\$92,400,307	\$95,718,869	\$3,318,562	3.47%
48	Liberty	2,003	\$6,853,308	\$7,114,566	\$261,258	3.67%
56	Lincoln	19,193	\$25,684,840	\$26,988,890	\$1,304,050	4.83%
25	Madison	7,274	\$39,221,471	\$44,782,040	\$5,560, 569	12.42%
41	McCone	1,805	\$5,844,927	\$5,906,318	\$61,391	1.04%
47	Meagher	1,999	\$7,831,526	\$7,463,065	(\$368,461)	-4.94%
54	Mineral	4,014	\$8,383,248	\$8,324,414	(\$58,834)	-0.71%
23	Missoula	100,086	\$175,329,786	\$178,546,389	\$3,216,603	1.80%
49	Musselshell Park	4,497	\$6,812,618	\$7,031,986	\$219,368	3.12%
55	Petroleum	15,968 470	\$31,583,281	\$32,990,679	\$1,407,398	4.27%
11	Phillips	4,179	\$1,569,284 \$13,747,339	\$1,570,674	\$1,390	0.09%
26	Pondera	6,087	\$13,747,328 \$12,185,202	\$14,294,394 \$12,173,729	\$547,066 (\$44,472)	3.83%
9	Powder River	1,705	\$4,036,772	\$12,173,729	(\$11,473) \$47,662	-0.09% 1.17%
28	Powell	6,999	\$11,621,089	\$11,732,149	\$47,662	0.95%
45	Prairie	1,105	\$3,285,997	\$3,267,067	(\$18,930)	-0.58%
13	Ravalli	39,940	\$62,121,022	\$64,468,316	\$2,347,294	3.64%
27	Richland	9,096	\$16,508,616	\$17,926,571	\$1,417,955	7.91%
17	Roosevelt	10,524	\$24,838,536	\$23,620,540	(\$1,217,996)	-5.16%
29	Rosebud	9,212	\$88,989,862	\$91,541,991	\$2,552,129	2.79%
35	Sanders	11,057	\$29,405,132	\$29,187,171	(\$217,961)	-0.75%
34	Sheridan	3,524	\$8,210,966	\$7,981,017	(\$229,949)	-2.88%
1	Silver Bow	32,982	\$43,565,942	46,613,831	\$3,047,889	6.54%
32	Stillwater	8,493	\$29,350,247	\$30,462,511	\$1,112,264	3.65%
40	Sweet Grass	3,672	\$14,598,387	\$15,806,506	\$1,208,119	7.64%
31	Teton	6,240	\$14,162,312	\$14,200,163	\$37,851	0.27%
21	Toole	5,031	\$13,354,278	\$14,237,726	\$883,448	6.20%
33	Treasure	689	\$3,956,619	\$3,673,569	(\$283,050)	-7.71%
20	Valley	7,143	\$24,731,659	\$23,781,162	(\$950,497)	-4.00%
44	Wheatland	2,037	\$9,483,433	\$11,837,312	\$2,353,879	19.89%
52	Wibaux	951	\$3,040,791	\$3,168,700	\$127,909	4.04%
3	Yellowstone	136,691	\$226,458,395	\$230,137,925	\$3,679,530	1.60%
	TOTAL	005 070	C4 045 744 404	04 040 400 400	40	
	IVIAL	935,670	\$1,845,744,124	\$1,913,409,494	\$67,665,370	3.54%

COUNTY TAXABLE VALUE FY- 06 AND FY- 07 (for Mill Levy)

BY COUNTY - FISCAL YEAR 2007

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			Value FY-06	Value FY-07	Plus/Minus	Change
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10	Carbon	9,902	\$25,786,269	\$28,709,760	\$2,923,491	10.18%
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2	Cascade	79,569	\$112,985,582	\$112,851,609	(\$133,973)	-0.12%
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37	Daniels	1,836	\$4,754,453	\$4,691,111	(\$63,342)	-1.35%
16	Dawson	8,688	\$14,645,543	\$14,841,406	\$195,863	1.32%
30	Deer Lodge	8,948	\$10,012,094	\$10,345,020	\$332,926	3.22%
39	Fallon	2,717	\$12,765,853	\$17,658,969	\$4,893,116	27.71%
8	Fergus	11,551	\$22,022,888	\$22,890,088	\$867,200	3.79%
7	Flathead	83,172	\$171,523,347	\$179,564,103	\$8,040,756	4.48%
6	Gallatin	78,210	\$168,323,827	\$181,081,364	\$12,757,537	7.05%
50	Garfield	1,199	\$4,822,802	\$4,738,325	(\$84,477)	-1.78%
38	Glacier	13,552	\$17,823,320	\$19,404,333	\$1,581,013	8.15%
53	Golden Valley	1,159	\$5,023,328	\$4,840,523	(\$182,805)	-3.78%
46	Granite	2,965	\$9,084,955	\$9,324,913	\$239,958	2.57%
12	Hill	16,304	\$27,276,189	\$27,988,794	\$712,605	2.55%
51	Jefferson	11,170	\$19,135,774	\$20,940,973	\$1,805,199	8.62%
36	Judith Basin	2,198	\$10,155,867	\$10,015,215	(\$140,652)	-1.40%
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56	Lincoln	19,193	\$25,684,840	\$26,988,890	\$1,304,050	4.83%
25	Madison	7,274	\$39,221,471	\$44,782,040	\$5,560,569	12.42%
41	McCone	1,805	\$5,844,927	\$5,906,318	\$61,391	1.04%
47	Meagher	1,999	\$7,831,526	\$7,463,065	(\$368,461)	-4.94%
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28	Powell	6,999	\$11,621,089	\$11,732,149	\$111,060	0.95%
45	Prairie	1,105	\$3,285,997	\$3,267,067	(\$18,930)	-0.58%
13	Ravalli	39,940	\$62,121,022	\$64,468,316	\$2,347,294	3.64%
27	Richland	9,096	\$16,508,616	\$17,926,571	\$1,417,955	7.91%
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33	Treasure	689	\$3,956,619	\$3,673,569	(\$283,050)	-7.71%
20	Valley	7,143	\$24,731,659	\$23,781,162	(\$950,497)	-4.00%
44	Wheatland	2,037	\$9,483,433	\$11,837,312	\$2,353,879	19.89%
52	Wibaux	951	\$3,040,791	\$3,168,700	\$127,909	4.04%
3	Yellowstone	136,691	\$226,458,395	\$230,137,925	\$3,679,530	1.60%
			7227,700,000	ψεου, 101,320	Ψο,010,000	1.0078
	TOTAL	935,670	\$1,845,744,124	\$1,913,409,494	\$67,665,370	3.54%
			7.,0.0,111,127	7.,0.0,100,104	40.,000,010	J.J7/8